

Message Text

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ACTION MMO-02

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EO 11652: N/A
TAGS: SNAR, MX
SUBJECT: MODE: DEA PROPOSAL TO ESTABLISH POSITION FOR
ADVISOR ON COMPLIANCE AND REGULATORY MATTERS (ACRM)

REF: (A) STATE 173386; (B) MEXICO 15343

1. FOLLOWING REMARKS ARE KEYED TO QUESTIONS RAISED IN
PARA SEVEN OF REF (A):

(A) GOVERNMENT OF MEXICO (GOM) OFFICIALS OF MINISTRY OF
HEALTH AND WELFARE INVOLVED IN COMPLIANCE AND REGULATORY
MATTERS ENTHUSIASTICALLY RECEIVED TDY ACRM AND WORKED
CLOSELY WITH HIM DURING THE EIGHT WEEKS HE SPENT IN
MEXICO. THE CHIEF OF NARCOTICS DEPARTMENT IN HEALTH AND
WELFARE MET WITH HIM ON NUMEROUS OCCASIONS AND PERMITTED
HIM TO ACCOMPANY GOM INSPECTORS DURING INSPECTIONS OF
MANUFACTURING PLANTS, WHOLESALE FIRMS AND LOCAL PHARMA-
CIES. WE HAVE EVERY REASON TO ASSUME THAT SUCH CLOSE
COOPERATION WOULD CONTINUE IF ACRM WERE ASSIGNED PERMA-
NENTLY.

(B) EXISTING DEA STAFF HAS DONE ONLY MINIMAL COMPLIANCE
AND REGULATORY WORK. NONE OF THE PRESENT STAFF HAS
MEANINGFUL EXPERIENCE IN THIS AREA, AND THE PACE OF EN-
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FORCEMENT ACTIVITIES IN MEXICO WOULD PRECLUDE THEM FROM
DEVOTING SIGNIFICANT ATTENTION TO THIS AREA EVEN IF THEY
WERE PROFESSIONALLY QUALIFIED.

(C) ANY ACRM ASSIGNED TO MEXICO SHOULD BE ABLE TO WORK
EFFECTIVELY IN SPANISH, ATTEND THE FSI COURSE FOR DEA
AGENTS, AND HAVE EXPERIENCE IN ALL PHASES OF COMPLIANCE

AND REGULATORY PRACTICES.

(D) "ADVISOR ON COMPLIANCE AND REGULATORY MATTERS" WOULD BE AN ACCEPTABLE FUNCTIONAL TITLE. WE CONCUR WITH PARA SIX OF REF (A) THAT DIPLOMATIC TITLE WOULD NOT BE NECESSARY.

(E) MEXICO'S COMPLIANCE RECORDS ARE EXCELLENT AT THE BEGINNING AND END OF THE CHAIN (IMPORTED RAW MATERIALS ARE EFFECTIVELY CONTROLLED AND WITHDRAWALS FOR FORMULATION PROPERLY RECORDED, AS ARE PRESCRIPTION RECORDS AT POINT-OF-SALE) BUT VIRTUALLY NONEXISTENT AS THE PRODUCT LEAVES MANUFACTURING PLANT AND MOVES THROUGH WHOLESALERS TO PHARMACIES. DURING TDY ACRM'S VISIT GOM OFFICIALS EXPRESSED GREAT INTEREST IN USING ACRM AS AN ADVISOR TO IMPROVE ACCOUNTABILITY PROCEDURES THROUGHOUT DISTRIBUTION CHAIN.

2. RECOMMENDATION: OUR CURRENT NARCOTICS CONTROL PROGRAM HAS VIRTUALLY IGNORED COMPLIANCE AND REGULATORY MATTERS, BOTH BECAUSE WE HAVE NO ONE QUALIFIED TO WORK WITH THE GOM IN THIS AREA AND BECAUSE THE ENFORCEMENT WORKLOAD IS FAR MORE THAN AGENTS AVAILABLE CAN HANDLE. YET WE DO HAVE A NUMBER OF RECENT CASES INVOLVING LEGALLY-MANUFACTURED BUT DIVERTED AMPHATAMINES AND SECOBARBITOL BEING SEIZED IN ROUTE TO THE UNITED STATES, MOST LIMITED OFFICIAL USE

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RECENTLY IN TIJUANA. WE WOULD WELCOME THE ASSIGNMENT OF A FULL-TIME ACRM WHO COULD HELP THE GOM IMPROVE ITS COMPLIANCE PROCEDURES, THEREBY REDUCING THE AVAILABILITY OF CONTROLLED SUBSTANCES FOR DIVERSION TO THE UNITED STATES. LUCEY

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